

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

Kang Lu, et al.

*Plaintiffs,*

v.

TERRENCE REIDY, in his official capacity as  
Secretary of the EXECUTIVE OFFICE OF  
PUBLIC SAFETY AND SECURITY, and

ANDREA JOY CAMPBELL, in her official  
capacity as Attorney General of  
Massachusetts,

*Defendants.*

Civil Action No. 1:23-cv-12045-AK

**ACTION  
FOR  
DECLARATORY JUDGMENT**

2023 NOV 2 PM 2:03

**Plaintiffs' Motion and Memorandum To Join As Parties**

I, Christopher J. Colby, Kevin Kiley, Regina Roy, R. Susan Woods, Gabriel Kishinevski, Sarah Carey, Jason Gerhard, James J. O'Brien III, and Frank Staples each appear in our proper persons to join as plaintiffs in accordance with *Rule 20*, because we each assert a right to relief jointly with respect to a similar controversy arising under the Constitution, where identical questions of law common to our own circumstances are raised in the declaratory relief sought.

To the extent that the defendants claim the rules of intervention may apply, two types of intervention are recognized under *Rule 24*: (a) intervention of right, and (b) permissive intervention. Both are appropriate to us, as we each claim an interest relating to a controversy that is the subject of the action, and are so situated that disposing of the action may as a practical matter impair or impede the ability to protect our interests, which are specific to each of us; and

we have claims that share with the original action a common question of law or fact. For the purpose of *Rule 24*, our joinder as plaintiffs will not delay or prejudice the adjudication of the original parties' rights.


The Court may treat the Notice of Appearance, and Affidavit and Assent to Action we already filed separately (Doc. No. 11-23, 25-29, and 32, 33), as motions to join the action.

Further, the defendants' have not alleged that there has been a misjoinder of parties, and in any case, "Misjoinder of parties is not a ground for dismissing an action." *Rule 21*. As "the Court is governed by the substance of things, and not by mere form," *Simon v. Craft*, 182 U.S. 427, 427 (1901), we each hereby **MOTION** to be joined as plaintiffs in accordance with *Rules 20* and *21*, with the incorporation by reference of Doc. No. 1, the Action filed by Kang Lu, in its entirety, and with the same force and effect as though fully set forth herein.

Dated: November 13, 2023.

Very Respectfully Filed with the Court,  
and Served to defendants by email,

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